

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

In the Matter of Y.S. and N.S., minors under
the age of 16,

MARIA TERESA BARRERA ACOSTA and
HERIBERTO BARRERA,

Petitioners,

vs.

SAMY MOHAMED SARHAN,

Respondent.

Case No. 16-cv-5817

**SUPPLEMENTAL ORDER RE:
PRELIMINARY INJUNCTION**

Pursuant to a telephone conference with all parties held on the record this day before the undersigned and Magistrate Judge Steven Gold, and on consent of all parties, the Court hereby ORDERS as follows:

This Court's Preliminary Injunction Order at Docket No. 20, a copy of which is attached hereto, does not impede the authority of the New York State Family Court from making determinations of temporary physical custody of the children during the pendency of the Hague Convention proceedings.

SO ORDERED.

Dated: Brooklyn, New York
November 3, 2016

Roslynn R. Mauskopf

ROSLYNN R. MAUSKOPF
United States District Judge

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RJM
**[PROPOSED] PRELIMINARY
INJUNCTION**

Upon the consent of all parties on the record at a Show Cause hearing on October 27, 2016, the parties now jointly submit the following proposed Order to the Court.

Without prejudice to any party making an application to this Court during the pendency of this litigation seeking relief or modification of the restraints imposed below, the following PRELIMINARY INJUNCTIVE RELIEF IS HEREBY ORDERED:

- a) Pending a hearing on the merits of the Verified Petition, neither the Petitioners nor the Respondent, or any person acting at the request or direction of the Petitioners or the Respondent shall take any action to remove the Children (defined in the Verified Petition) from the vicinity of New York City;
- b) The Respondent shall surrender into the custody of this Court any of the Respondent's travel documents (including passports and visas) that are not in the custody of a state or federal government entity, pending a determination on the merits of the Verified Petition;

- c) The Respondent shall surrender into the custody of this Court any of the Children's travel documents (including passports and visas) that are not in the custody of Petitioners or a state or federal government entity, pending a determination on the merits of the Verified Petition;
- d) Neither the Petitioners nor the Respondent, or any person acting at the request or direction of the Petitioners or the Respondent shall apply for, renew, and/or otherwise obtain passports, visas and any other immigration and/or travel documents for the Children from the United States, Egypt, Mexico, or any other Country, pending a determination on the merits of the Verified Petition; and
- e) No court in the State of New York or any other State or territory in the United States shall make a final determination regarding the custody of the Children, pending a determination on the merits of the Verified Petition, as provided by Article 16 of the Hague Convention.

SO ORDERED:

DATED: Nov. 1, 2016

s/Roslynn R. Mauskopf

The Honorable Roslynn R. Mauskopf
United States District Judge